

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

JOHN R. SELLERS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 5:05-cv-48-WMA-TMP
)	
SHOOK & FLETCHER)	
INSULATING COMPANY, <i>et al.</i> ,)	
)	
Defendants.)	

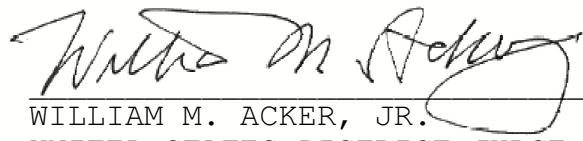
ORDER

The court has for consideration the Report and Recommendation of Magistrate Judge T. Michael Putnam, filed on November 17, 2005, wherein he recommends that the motions to dismiss filed by the defendants International Association of Heat and Frost Insulators and Asbestos Workers (court document #16), Shook & Fletcher Insulating Company (court document #18), Stone and Webster Construction Co., Inc., (court document #19) and Tennessee Valley Authority, (court document #20) be granted. The Magistrate Judge further recommends that the complaint be dismissed without prejudice with respect to defendant Caroline Bachelor, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

Having considered the recommendations of the Magistrate Judge, and there being no objections filed in response, the court hereby ACCEPTS and ADOPTS the recommendation of the Magistrate Judge. Accordingly, the motions to dismiss hereby are GRANTED and

plaintiff's claims against defendants International Association of
heat and Frost Insulators and Asbestos Workers, Shook & Fletcher
Insulating Company, Stone and Webster Construction Co., Inc., and
Tennessee Valley Authority are DISMISSED WITH PREJUDICE. In
addition, the remaining claims against defendant Caroline Bachelor
hereby are DISMISSED WITHOUT PREJUDICE.

Done this 29th day of December, 2005.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE